

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

UNITED STATES OF AMERICA

V.

Case No. 1:19-CR-00021-C-BL

CHRISTOPHER JAMES REGAN

DEFENDANT'S THIRD MOTION FOR DISCOVERY OF EXTRANEIOUS ACTS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, CHRISTOPHER JAMES REGAN, the Defendant in the above styled and numbered cause, by and through his attorney of record, and respectfully requests that the Court instruct the United States Department of Justice ("DOJ"), to divulge evidence of any prior convictions, alleged violations of the law not alleged in the indictment, or extraneous acts allegedly done by the Defendant or other alleged co-conspirator in this cause at a reasonable time prior to trial (at least two weeks) so as to permit counsel to determine the following:

1. Whether the conviction was punishable by death or imprisonment in excess of one (1) year under the law which the conviction was rendered.
2. Whether the conviction, alleged violation or extraneous act has such prejudicial effect to the Defendant so that said prejudicial effect outweighs the probative value of said testimony.
3. Whether the conviction, alleged violation or extraneous act occurred at a time sufficiently recent to have some bearing on the present cause of action.
4. Whether the person now on trial or the person who allegedly committed said act is the same person now connected with this trial.

5. Whether said conviction, alleged violation or extraneous act is admissible pursuant to the Federal Rules of Evidence. In particular, Defendant would direct the Court's attention to Federal Rules of Evidence 404(b).

WHEREFORE, PREMISES CONSIDERED, it is respectfully requested that the Court order the DOJ to make said disclosures at a reasonable time prior to trial (at least two weeks).

Respectfully submitted,

/s/ Jacob Blizzard

Jacob Blizzard

Texas State Bar No. 24068558

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Attorney for the Defendant,

CHRISTOPHER JAMES REGAN

CERTIFICATE OF SERVICE

I, Jacob Blizzard, certify that on March 25, 2019, a copy of the foregoing was filed through the Electronic Case Filing ("ECF") System. Pursuant to Rule 9 of Miscellaneous Order No. 61, this constitutes service of this document to the United States Attorney for the Northern District of Texas, who is an ECF user.

By: /s/ Jacob Blizzard

Jacob Blizzard

Attorney for CHRISTOPHER JAMES REGAN

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with the Assistant U.S. Attorney, Russell Lorfing, by email and providing the motion in advance of filing, concerning the foregoing motion prior to filing same and he had no objection so long as the requests require disclosure consistent with Rule 16, Brady, Giglio, and other applicable case law.

By: /s/ Jacob Blizzard
Jacob Blizzard
Attorney for CHRISTOPHER JAMES REGAN